

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING SECOND APPLICATION**

In re Application of: Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David M. Knight  
and Scott Siegel

Application No. 10/043,432

Filed: January 10, 2002

Confirmation No.: 3288

For: METHODS OF TREATING CACHEXIA WITH CHIMERIC ANTI-TNF  
ANTIBODIES

The owners, Centocor, Inc. and New York University, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term (defined in 35 U.S.C. §§154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/010,229, filed on December 7, 2001) of any patent on the pending second application. The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

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The terminal disclaimer fee under 37 CFR §1.20(d) is enclosed.

The undersigned is an attorney or agent of record.

August 21, 2006  
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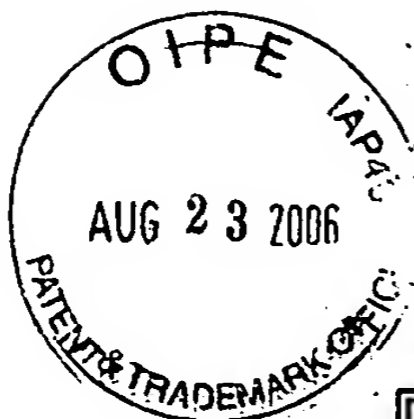
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Re: Applicants: Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb,  
David M. Knight and Scott Siegel

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Title: "Methods of Treating Cachexia With Chimeric Anti-TNF  
Antibodies"

Docket No.: 0975.1005-017

Sir:

Please find enclosed two Terminal Disclaimers for filing in the above-referenced application.

The statutory fee in the amount of \$260.00 for filing the disclaimers is attached. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

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